

Notice of Allowability

Application No.

09/494,158

Examiner

Raymond B. Persino

Applicant(s)

KOVACS, ERNO

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an RCE filed 1/5/2005.
2. ☒ The allowed claim(s) is/are 1,2,4-13 and 15-22.
3. ☒ The drawings filed on 28 January 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Allowable Subject Matter

1. Claims 1, 2, 4-13 and 15-22 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The applicant's inventions of claims 1 and 12 are geared toward a mobile agent system for a communication unit of a communication system. The mobile agent of claim 1 includes at least one mobile agent; a migration control means for controlling the migration behavior based on the current migration policy that defines the way the mobile agent system checks current network parameters; and a policy control means operating to overrule the selected current migration policy with a user command when the user command defining the current migration policy is received. The closest prior art is WEISER (see rejections based upon WEISER in prior office actions). Although WEISER discusses "room-level policies" and "internal policies", and these "policies" acting as filters to enforce the rules within the "policies", Weiser fails to teach or suggest a mobile agent system including at least one mobile agent; a migration control means for controlling the migration behavior based on the current migration policy that defines the way the mobile agent system checks current network parameters; and a policy control means operating to overrule the selected current migration policy with a user command when the user command defining the current migration policy is received. It is further noted that the applicant's claim 1 is not rendered obvious or anticipated by the document cited by applicant on 3/26/2004 entitled "An Intelligent Mobile Agent

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Framework for Distributed Network Management.” While this prior art does include some of the subject matter contained in the applicant’s claim 1, at the least it does not include the subject matter of a policy control means operating to overrule the selected current migration policy with a user command when the user command defining the current migration policy is received. Furthermore, no other prior art as been discovered that would anticipate or render obvious the claims. Therefore, the applicant’s invention of claim 1, when considered as a whole, is neither taught nor suggested by the prior art. Lastly, since independent claim 12 closely parallels, and includes substantially similar limitations as, independent claim 1, claim 12 is allowable for the same reasons as claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino
Examiner
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VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600